

MINUTES
WAYCROSS CITY COMMISSION MEETING
TUESDAY, JANUARY 3, 2017
5:00 PM

The City Commission of the City of Waycross held their Regular Session on Tuesday, January 3, 2017 in the Commission Chambers of City Hall. The meeting was called to order at 5:00 p.m. Members in attendance were: Mayor John Knox, Mayor Pro Tem Marian Solomon-Gaines, Commissioners Larry Ethridge, Diane Hopkins, Norman Davis and Jon Tindall.

Public Works Director Wilton Deloach offered the opening invocation. The Invocation was followed by the Pledge of Allegiance led by Mayor Knox.

City Manager Raphel Maddox announced the meeting schedule for Tuesday, January 17, 2017 as follows:

1. 3:00 pm Waycross City Commission Planning and Information Session
- 2 5:00 pm Waycross City Commission Meeting

The first order of business for the Organizational meeting of the City Commission of the City of Waycross was to elect a Mayor Pro Tem for 2017. Commissioner Diane Hopkins nominated Commissioner Jon Tindall to serve as Mayor Pro Tem for 2017. Commissioner Marian Solomon-Gaines seconded the motion. Commissioners Hopkins, Solomon-Gaines, and Tindall voted yes; Commissioners Ethridge and Davis voted No. The motion carried and Commissioner Jon Tindall was elected Mayor Pro Tem.

Mayor John Knox announced the City Officers for 2017.

<i>City Attorney</i>	<i>Rick Currie</i>
<i>Assistant City Attorney</i>	<i>Shawn F. Wildes</i>
<i>Official Organ:</i>	<i>Waycross Journal-Herald</i>
<i>City Depository:</i>	<i>SunTrust Bank</i>
<i>City Physician:</i>	<i>Urgent Care-Mayo Clinic Health System</i>
<i>City Auditor:</i>	<i>Henderson & Godbee</i>
<i>Municipal Court Judge</i>	<i>Judge Douglas W. Gibson</i>
<i>Municipal Court Judge Pro-Tempore'</i>	<i>Adrienne Gibson</i>

Insurance Agents:

J Smith Lanier, Insurance Broker

*Apex Insurance Services, Public Risk
Underwriter*

Corvel Corporation, TPA-Workers' Comp

Metlife, Group Life

Wright Specialty/Catlin, Liability

UMR, TPA-Health Insurance

Mayo Clinic Health Solutions, TPA, Health

City Election Superintendent:

*Ware County Board of Elections and
Registration*

Mayor Knox announced the following appointments to Executive Positions:

**United States Department of Justice,
Weed N' Seed/Waycross Operation,
Co-Chairman**

Commissioner Norman Davis

Downtown Waycross Development Authority:

Mayor John Knox

**Law Enforcement Training Center
Advisory Committee:**

**Commissioner Marian Solomon-
Gaines**

Library Board:

Commissioner Jon Tindall

Southern Georgia Regional Commission

Mayor John Knox

Tourism Committee: **Commissioner Diane Hopkins**

Transportation Planning Coordinating Committee: **Mayor John Knox**

Ware County Health Board: **Mayor John Knox**

Waycross-Ware Co Development Authority: **Mayor John Knox**

Waycross-Ware Co Chamber of Commerce: **Mayor John Knox**

(Mayor and/or City Manager are Automatic Appointees to the Southern Georgia Regional Commission, Waycross-Ware Development Authority, Transportation Planning Coordinating Committee and Chamber of Commerce, Downtown Waycross Development Authority)

Waycross Main Street: **Commissioner Marian Solomon-Gaines**

Pension Committee for Retirement Fund* (Recommended by Mayor and Confirmed by City Commission) (Mayor, City Manager, City Attorney, and Personnel Analyst & Risk Management Employee are Automatic Appointees):

- | | | |
|----|-------------------------------------|--|
| a. | Mayor | John Knox, Mayor |
| b. | City Manager | Raphel D. Maddox, City Manager |
| c. | City Attorney | Rick Currie, City Attorney |
| d. | Personnel Analyst & Risk Management | Nicole Price |
| e. | Finance Director | Dana Chancey, Finance Director |
| f. | City Commissioner | Diane L. Hopkins, Commissioner |
| g. | Department Head | Wilton Deloach, Public Works Director |
| h. | Human Resources Director | Trinija Molina-Martin, Human Resources |

Ware County Board of Health (*appointment begins January 1, 2017 and ends December 31, 2022*)

Barbara Miller appointed for a four year term beginning January 1, 2017 and ending December 31, 2022.

The above listed appointments were all confirmed by the City Commission by motion from Commissioner Norman Davis; seconded by Commissioner Jon Tindall; all voted in favor and the motion carried.

Mayor John Knox suggested that appointments to the Zoning Board of Appeals be tabled until the January 17, 2017 meeting.

Human Resource Director Trinija Martin introduced Donald King, Waycross Fire Department the January 2017 Employee of the Month.

City Manager Raphel Maddox reminded the Commissioners and public to support the Ware County Gators, Girls and Boys Basketball.

There were no public remarks on official action.

Mayor Knox presented the Consent Calendar as read by City Clerk, Julie Dinkins for consideration of official action as follows:

Approval of Minutes: Waycross City Commission Planning and Information Session and Executive Session, Monday, December 19, 2016; Waycross City Commission Meeting, Tuesday, December 20, 2016 and November 21 Public Hearing, CDBG.

One ordinance second reading was presented:

ORDINANCE NO. 017-01

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 14 – EMERGENCY MANAGEMENT AND EMERGENCY SERVICES, SECTION 14-99, PERTAINING TO WHEN AUTHORIZED, AND SECTION 14-100, PERTAINING TO EMERGENCY POWERS; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

One Consent Resolution Authorizing Forstine Hawkins to reconvey Section 2, 18-B, Space 2, Oakland Cemetery to Ada Robertson.

No privilege license renewals.

The Consent Calendar was approved by motion from Commissioner Diane Hopkins; seconded by Commissioner Marian Solomon-Gaines; all voted in favor and the motion carried.

One Privilege License was presented for approval: Shivang Shah, d/b/a/ Waycross Food & Beverage, 1302 Brunel Street, Beer and Wine, package Sales. Commissioner Diane Hopkins made the motion to approve the privilege license. The motion was second by Commissioner Jon Tindall; all voted positively and the motion carried.

An Ordinance Amending the Code of the City of Waycross by amending Chapter 34 – Occupational Tax was presented for the first reading.

ORDINANCE NO. 017-02

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 34 – TAXATION, LICENSES AND BUSINESS REGULATIONS, ARTICLE IV. – OCCUPATIONAL TAX, SECTIONS 34-85, 34-88, 34-90, 34-95, 34-100, 34-101 AND 34-102, PERTAINING TO THE DUE DATE FOR OCCUPATIONAL TAX AND PENALTIES; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

The Ordinance Amending the Code of the City of Waycross by amending Chapter 34 – Occupational Tax was approved on the first reading by Commissioner Diane Hopkins. The motion was seconded by Commissioner Marian Solomon-Gaines; and approved by unanimous vote.

An Ordinance Amending the Code of the City of Waycross by amending Chapter 34 – Occupational Tax was presented for the second and emergency reading.

ORDINANCE NO. 017-02

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF WAYCROSS, GEORGIA; TO AMEND CHAPTER 34 – TAXATION, LICENSES AND BUSINESS REGULATIONS, ARTICLE IV. – OCCUPATIONAL TAX, SECTIONS 34-85, 34-88, 34-90, 34-95, 34-100, 34-101 AND 34-102, PERTAINING TO THE DUE DATE FOR OCCUPATIONAL TAX AND PENALTIES; TO PROVIDE FOR AN EFFECTIVE DATE; TO PROVIDE FOR RENUMBERING OR RELETTERING; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

The Ordinance Amending the Code of the City of Waycross by amending Chapter 34 – Occupational Tax was approved on the second and emergency reading by Commissioner Diane

Hopkins. The motion was seconded by Commissioner Marian Solomon-Gaines; and approved by unanimous vote.

A Resolution to Approve Payment for Microsoft Licensing for FY 2017 was presented.

RESOLUTION NO. 17-01

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE PAYMENT FOR MICROSOFT LICENSING FOR FY 2017;
AND FOR OTHER PURPOSES.**

WHEREAS, the City of Waycross makes use of Microsoft computer software on all City computers; and

WHEREAS, by purchasing a licensing agreement, the City is able to load the software lawfully onto all computers; and

WHEREAS, the rate for the licensing agreement for FY2017 is \$19,668.99 under the State of Georgia enterprise agreement, being Microsoft Enterprise Agreement (EA) # 7892895; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the City of Waycross approve the annual payment for the Microsoft License Agreement for FY2017 in the amount of \$19,668.99.

BE IT FURTHER RESOLVED THAT the Mayor, City Clerk, Finance Director and City Manager be and are hereby authorized, directed and empowered to execute the agreement on behalf of the City.

SO RESOLVED, this 3RD day of January, 2017.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

Commissioner Marian Solomon-Gaines made the motion to approve the Resolution to Approve Payment for Microsoft Licensing for FY 2017 as presented. Commissioner Larry Ethridge seconded the motion; all voted yes and the motion was approved with a 5-0 vote.

A Resolution of the City of Waycross to Approve the Signing of a Settlement Agreement in the Lawsuit with First Southern Bank was presented as follows:

RESOLUTION NO. R17-03

**A RESOLUTION OF THE CITY OF WAYCROSS, GEORGIA,
TO APPROVE THE SIGNING OF A SETTLEMENT AGREEMENT IN THE LAWSUIT
WITH FIRST SOUTHERN BANK; AND FOR OTHER PURPOSES.**

WHEREAS, the Georgia Legislature passed House Bill 523, effective July 1, 2015, which de-annexed the City of Waycross from Pierce County, and which includes the Bluffs of Satilla subdivision, of which First Southern Bank owns 42 lots; and

WHEREAS, in August 2015, the City of Waycross passed a resolution to halt the delivery of water and sewer services in the formerly annexed area and to include no new water and sewer accounts; and

WHEREAS, First Southern Bank filed a complaint against the City of Waycross, Georgia, and other parties, in the Superior Court of Pierce County, being case # 16-198-CA as a result of the above; and

WHEREAS, the parties desire to resolve their disputes regarding House Bill 523 (2015); and

WHEREAS, the City of Waycross and Pierce County have both signed a settlement agreement in Pierce County civil action # 15-131-CA on December 20, 2016; and

WHEREAS, Section 2.1 of the Charter of the City of Waycross gives the City of Waycross the power and authority to “enter into contracts and agreements with other governmental entities and with private persons, firms and corporations”; and

WHEREAS, said matter having been considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross that the Settlement Agreement between the CITY OF WAYCROSS, GEORGIA, and FIRST SOUTHERN BANK, in the form attached hereto as an Exhibit and incorporated herein as if fully set forth, and after the Commission directed the City Attorney to make certain changes to said Exhibit, be approved.

BE IT FURTHER RESOLVED that the Mayor, City Clerk and City Attorney be authorized, directed and empowered to sign said Settlement Agreement **but only** after the Honorable Judge J. Kelly Brooks makes the settlement agreement between the City of Waycross and Pierce County in the above referenced case an order of the court, and to do all the acts and

things necessary in order to carry out the purposes and intent of this Resolution and after City Commissioners are satisfied that said changes have been made to said Exhibit.

BE IT FURTHER RESOLVED that the City Manager is specifically authorized to create, open and establish new water and/or sewer services outside of the present corporate city limits of the City of Waycross in the Bluffs of Satilla **but only** if he is presented with a properly authorized Petition for Annexation of Property into the City of Waycross by the customer/property owner as is set out in Exhibit "B" in the above-described Settlement Agreement with First Southern Bank.

SO RESOLVED, this 3rd day of January, 2017.

CITY OF WAYCROSS

JOHN KNOX, Mayor

ATTEST: JULIE DINKINS, City Clerk

A Resolution of the City of Waycross to Approve the Signing of a Settlement Agreement in the Lawsuit with First Southern Bank was approved by motion from Commissioner Norman Davis; seconded by Commissioner Diane Hopkins. Commissioners Norman Davis, Larry Ethridge and Jon Tindall voted yes; Commissioners Marian Solomon-Gaines and Diane Hopkins voted no. The motion carried 3- 2.

A Joint Resolution of the City of Waycross and Ware County requesting the Local Legislative Delegation to Create by Local Act a Waycross Ware County Land Bank Authority was presented.

RESOLUTION NO. R17-02

A JOINT RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WAYCROSS, GEORGIA, AND THE BOARD OF COMMISSIONERS OF WARE COUNTY, GEORGIA, TO REQUEST THE LOCAL LEGISLATIVE DELEGATION TO THE GEORGIA GENERAL ASSEMBLY TO CREATE BY LOCAL ACT A WAYCROSS-WARE COUNTY LAND BANK AUTHORITY; AND FOR OTHER PURPOSES.

WHEREAS, the governments of the City of Waycross and the County of Ware are struggling to cope with dilapidated, abandoned and tax delinquent properties; and

WHEREAS, the citizens of the City of Waycross and the County of Ware are adversely affected by said dilapidated, abandoned, and tax delinquent properties, including properties that have been abandoned due to mortgage foreclosure; and

WHEREAS, the General Assembly of Georgia has found and declared, in O.C.G.A. § 48-4-101, that dilapidated, abandoned and tax delinquent properties impose significant costs on neighborhoods and communities by lowering property values, increasing fire and police protection costs, decreasing tax revenues, and undermining community cohesion; and

WHEREAS, there is an overriding public need to confront the problems caused by dilapidated, abandoned, and tax delinquent properties, and to return properties which are in nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide affordable housing, new industry, and jobs for the citizens of this State through the creation of new tools that enable communities to turn abandoned spaces into vibrant places; and

WHEREAS, land banks are one of the tools that can be utilized by communities to facilitate the return of dilapidated, abandoned and tax delinquent properties to productive use; and

WHEREAS, said matter having been read and considered.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the City of Waycross and the Board of Commissioners of Ware County that we hereby call upon the Georgia State Legislative Delegation representing the City of Waycross and the County of Ware, including Representative Jason Shaw, Representative Jason Spencer, Representative John Corbett and Senator Tyler Harper to forthwith, by Local Act, create a Waycross-Ware County Land Bank Authority.

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to said Georgia State Legislative Delegation representing the City of Waycross and the County of Ware, media outlets and other appropriate persons or entities; and

BE IT FURTHER RESOLVED that the City Manager and Mayor of the City of Waycross and the County Manager and the Chairman of the Ware County Board of Commissioners are hereby authorized, directed and empowered to execute any additional

documents needed or appropriate, and to take any action necessary to implement this Resolution in the most effective manner possible.

SO RESOLVED AND ADOPTED at a meeting of the Ware County Board of Commissioners, this ____ day of _____, 2017.

SO RESOLVED AND ADOPTED at a meeting of the City Commission of the City of Waycross, this 3RD day of January, 2017.

CITY OF WAYCROSS

BY: JOHN KNOX, MAYOR

ATTEST: JULIE C. DINKINS, CITY CLERK

**MARIAN C. SOLOMON-GAINES
CITY COMMISSIONER**

**DIANE L. HOPKINS
CITY COMMISSIONER**

**LARRY ETHRIDGE
CITY COMMISSIONER**

**NORMAN E. DAVIS, SR.
CITY COMMISSIONER**

**JONATHAN M. TINDALL
CITY COMMISSIONER**

WARE COUNTY BOARD OF COMMISSIONERS

BY: JIMMY BROWN, CHAIRMAN

ATTEST: LISA RALLS, COUNTY CLERK

**DANNY TURNER
COUNTY COMMISSIONER**

**CARLOS NELSON
COUNTY COMMISSIONER**

STEVE A. BARNARD, SR.
COUNTY COMMISSIONER

JERRY POPE
COUNTY COMMISSIONER

A Joint Resolution of the City of Waycross and Ware County requesting the Local Legislative Delegation to Create by Local Act a Waycross Ware County Land Bank Authority was approved by motion from Commissioner Norman Davis; seconded by Commissioner Larry Ethridge; all voted in favor and the motion carried.

Mr. John Summerlin addressed the Commission concerning the following issues: No burning within the City limits; Permits for Veterans for produce; he asked that he be notified anytime a citizens is removed from one of his houses and finally he asked about getting the lights turned on in his house on Jane Street.

During last call Commissioner Marian Solomon-Gaines listed the events planned for the Martin Luther King Jr holiday. Commissioner Davis listed seven things he would like to see addressed during 2017 including jobs, transportation, paving, drainage, recreations, lights, and beautification.

Following last call, Commissioner Norman Davis made the motion to adjourn the meeting; seconded by Commissioner Diane Hopkins; a unanimous vote; and Mayor Knox adjourned the meeting.

CITY OF WAYCROSS

BY: 
JOHN KNOX, Mayor

ATTEST:


JULIE C. DINKINS, City Clerk